

Exhibit "A"

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

In re:

HIGHPOINT LIFEHOPE SPE LLC,

Debtor.

CHAPTER 11 CASE

CASE NO. 22-50929-MMP

ORDER DISMISSING CHAPTER 11 BANKRUPTCY CASE

CAME ON FOR CONSIDERATION before the Court at a hearing held on _____, 2022 (the "Hearing") to consider the *Motion for Order Granting Motion for Order Dismissing Chapter 11 Bankruptcy Case*, [Docket No. ____] (the "Motion") filed by Capital One, National Association ("Capital One"), as agent and lender.¹ Through the Motion, and

¹ Unless stated otherwise herein, terms defined in the Motion will have the same meanings when used in this Order.

pursuant to Bankruptcy Code §§ 1112(b)(1), Capital One requests that the Court enter an order dismissing the above-captioned Chapter 11 case (the "Bankruptcy Case").

[After due and proper notice of the Motion and the Hearing, no timely objections were filed.]

Having reviewed and considered the Motion, the evidence, the representations of counsel, and the argument presented to the Court at the Hearing, and the entire record before it, and good and sufficient cause appearing therefor,

IT IS HEREBY FURTHER FOUND AND CONCLUDED that:

A. On August 22, 2022 (the "Petition Date"), the Debtor filed a voluntary petition for relief with this Court commencing the above-captioned Chapter 11 case (the "Bankruptcy Case"). The Bankruptcy Case has not previously been converted from another chapter under Title 11. The Debtor is continuing in possession of its property, and operating and managing its business, as debtor-in-possession, pursuant to Bankruptcy Code §§ 1107 and 1108.

B. This Court has jurisdiction over the Bankruptcy Case and the Motion pursuant to 28 U.S.C. §§ 157(b) and 1334. The Motion presents a core proceeding as defined in 28 U.S.C. § 157(b)(2).

C. Proper and sufficient notice of the Motion, the Hearing and the relief granted in this Order has been given by Capital One in accordance with to Bankruptcy Code § 1112(b), Bankruptcy Rules 2002, 9013, and 9034, and the Local Rule 9013.

D. Under the circumstances of this case, (i) cause exists for the Court to dismiss the Bankruptcy Case pursuant to Bankruptcy Code § 1112(b)(1), including, without limitation, cause under Section 1112(b)(4)(A) ("substantial or continuing loss to or diminution of the estate and the absence of a reasonable likelihood of rehabilitation") and Section 1112(b)(4)(B) ("gross mismanagement of the estate"), and (ii) dismissal is in the best interests of creditors and the estate.

Accordingly, based upon the foregoing findings and conclusions, and upon the record made before the Court at the Hearing, and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED that:

1. The Motion shall be, and hereby is granted in its entirety. Any and all objections to the Motion are hereby overruled.
2. Pursuant to Bankruptcy Code § 1112(b)(1), the Bankruptcy Case is hereby dismissed.

###END OF ORDER###